

**REMARKS**

Claims 13-17 are pending. By this Amendment, claims 1-12 are canceled without prejudice or disclaimer and new claims 13-17 are added.

Entry of this Amendment is proper under 37 C.F.R. §1.116 because the amendments: a) place the application in condition for allowance for the reasons set forth below; b) do not raise any new reasons that require further search and/or consideration; and c) place the application in better form for an appeal should an appeal be necessary. More specifically, the claims closely correspond with the originally elected claims as well as define patentable subject matter. Thus, entry is proper under 37 C.F.R. §1.116.

The Office Action rejects claims 1-5 and 10-12 under 35 U.S.C. §103(a) over PCT/WO92/22983 to Brown et al. (hereafter Brown) in view of U.S. Patent 4,258,385 to Greenburg and newly-cited U.S. Patent 6,025,837 to Matthews et al. (hereafter Matthews). The rejection is respectfully traversed with respect to the pending claims.

Independent claim 13 recites a terminal configured to request the data for acquiring the broadcasting program to a provider and receive the data from the provider, and storage means in the terminal configured to store the received data. Independent claim 13 further recites the data indicates a location information where the broadcasting program can be acquired and a time information including start time and duration of the broadcasting program.

The applied references do not teach or suggest at least these features of independent claim 13. In particular, Brown, Greenburg and Matthews do not teach or suggest that the data indicates a location information where the broadcasting program can be acquired and a time information

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including start time and duration of the broadcasting program. Thus, independent claim 13 defines patentable subject matter. Claims 14-17 depend from claim 13 and therefore also define patentable subject matter at least for this reason.

### **CONCLUSION**

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of claims 13-17 are earnestly solicited. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **David C. Oren**, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
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**Date: November 29, 2004**

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